



PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

August 24, 2009

Applicant : Anthony Denis McCORMACK

For : TOBACCO SMOKE FILTER

Serial No. : 10/536 943 Group: 1791

Confirmation No.: 8306

Filed : October 17, 2005 Examiner: Nguyen

International Application No.: PCT/GB2003/005151

International Filing Date : November 26, 2003

Atty. Docket No.: 3700.P0397US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Sir:

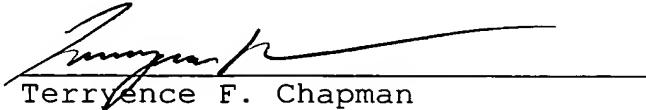
Applicant hereby appeals to the Board of Appeals from the decision mailed March 23, 2009 of the Primary Examiner finally rejecting Claims 1-16.

(Please see following page.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 24, 2009.

Respectfully submitted,


Terryence F. Chapman

08/26/2009 HDESTA1 00000017 10536943

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540.00 OP

The items checked below are appropriate:

A Petition and fee for extension accompany this Notice.

Appeal fee:

\$540.00 (large entity).

\$270.00 (small entity). Small entity status is claimed, see 37 CFR 1.27.

A check for \$900.00 is enclosed to cover fees.

Please charge the Appeal Fee of \$ _____ to Deposit Account 06-1382.

The Commissioner is hereby authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 06-1382.

An acknowledgement Postal Card is enclosed.

Respectfully submitted,



Terryence F. Chapman

TFC/smd

FLYNN, THIEL, BOUTELL & TANIS, P.C. 2026 Rambling Road Kalamazoo, MI 49008-1631 Phone: (269) 381-1156 Fax: (269) 381-5465	David G. Boutell Terryence F. Chapman Mark L. Maki Liane L. Churney Brian R. Tumm Heon Jekal Eugene J. Rath III Dale H. Thiel Sidney B. Williams, Jr.	Reg. No. 25 072 Reg. No. 32 549 Reg. No. 36 589 Reg. No. 40 694 Reg. No. 36 328 Reg. No. 64 219 Reg. No. 42 094 Reg. No. 24 323 Reg. No. 24 949
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Encl: Listed Above

150.10/08